

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Confirmation No.: 3913
Montani and Ruffini)
Serial No.: 10/575,506) Group Art Unit: 3657
Filed: May 12, 2008) Examiner: Anna M. Momper
For: TWO-ARMED TENSIONER)
FOR THE DRIVE BELT OF)
A MOTOR VEHICLE)

San Diego, California
October 26, 2010

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

PRELIMINARY AMENDMENT

Dear Sir:

Preliminary to examination, please amend the above-identified U.S. patent application as follows herein. A Request for Continued Examination and a Petition for Extension of Time accompany this paper.

Amendments to the Claims begin on page 2 of this paper.

Amendments to the Specification begin on page 4 of this paper.

Amendments to the Drawings begin on page 5 of this paper.

Remarks begin on page 6 of this paper.

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that on the date indicated below, this correspondence and anything being referred to as enclosed herein is being:
 deposited with the United States Postal Service via first class mail with sufficient postage in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450; or transmitted via facsimile to the United States Patent and Trademark Office, facsimile number: () - ; or transmitted via the United States Patent and Trademark Office electronic filing system.

Date: October 26, 2010

Signature: Jason Berry
Name: Jason Berry

Amendments to the Claims

This listing of the claims replaces all prior versions and listings of claims in the application:

1. (Currently Amended) A tensioner for a belt of a drive of a motor vehicle, comprising:
a first and a second idle pulleys designed to co-operate with respective belt runs of said belt;
a first arm bearing said first idle pulley, said first arm being hinged about a mobile axis;
a second arm hinged to said first arm about [[a]]the mobile axis and bearing said second
pulley; [[and]]

elastic means acting at least indirectly on said arms for tensioning said belt[.,.] and
said tensioner being characterized in that said first arm is hinged about said mobile axis and
by comprising a mobile element distinct from said first and second arm and mobile during
functioning, said mobile axis being carried by said mobile element, said mobile element changing
positions in reaction to changes in tensioning action on the belt runs, said positions being determined
by an equilibrium caused by said changes in tensioning action.

2. (Previously Presented) The tensioner according to Claim 1, characterized in
that said mobile element is hinged about a fixed axis.

3. (Previously Presented) The tensioner according to Claim 1, characterized in
that said elastic means are carried on said mobile element.

4. (Previously Presented) The tensioner according to Claim 1, characterized in
that said elastic means co-operate with one of said arms and with said mobile element.

5. (Previously Presented) The tensioner according to Claim 1, characterized in that said elastic means act between said arms.

6. (Previously Presented) The tensioner according to Claim 1, characterized in that it comprises arrest elements co-operating with said arms for limiting opening of said arms with respect to one another.

7. (Currently Amended) A belt drive tensioner comprising:
first and second pulleys operating with a belt one or more belts running over the pulleys;
a first arm rotatably coupled to a mobile element about a mobile axis, said first pulley being mounted on the first arm;
a second arm rotatably coupled to said first arm and to said mobile element about the mobile axis, said second pulley being mounted on the second arm; and
a spring elastic means acting at least indirectly on said arms to generate a tensioning force;
said mobile element changing positions in reaction to changes in tensioning action on the belt, said positions being determined by an equilibrium caused by said changes in tensioning action.

8. (Previously Presented) The belt drive tensioner according to Claim 7, wherein the mobile element comprises:
a first end portion rotatable about a fixed axis at a hinge; and
a second end portion opposite to the first end portion, the second end portion being rotatable about the mobile axis.

Amendments to the Specification

In the Specification as filed, please replace page 7, lines 26-31 with the following:

In particular, according to an alternative embodiment (Figure 4), the mobile element 12 comprises respective contrast walls [[42, 43]]~~42a, 42b~~ co-operating with respective external sides [[44, 45]]~~45a, 45b~~ of the respective arms 13, 14 in order to limit opening of the arms with respect to one another.

Amendments to the Drawings

Replacement sheets for FIGS. 3 and 4 are submitted herewith.

Attachment: Replacement sheets pages 2 and 3.

REMARKS

Claims 1-8 are pending in the application.

The drawings have been objected to for informalities. The drawings have been amended to address the objections, and the Specification has been amended to reflect the corrected reference numbers in the drawings. No new matter has been added.

Claims 7 and 8 have been rejected under 35 U.S.C. 112, second paragraph. It is believed the amendments to the claims overcome these rejections.

Claims 1-6 have been rejected under 35 U.S.C. § 102(b) over U.S. Patent Application Publication No. 2002/0039944 to Ali (“Ali”). This rejection is respectfully traversed as follows.

It is respectfully submitted that Ali does not teach or suggest all of the elements of independent claim 1. For instance, Ali does not teach or suggest a tensioner for a belt of a drive of a motor vehicle comprising a mobile element that changes positions in reaction to changes in tensioning action on belt runs, said positions being determined by an equilibrium caused by said changes in tensioning action, as recited in independent claim 1. Rather, in Ali to the extent the mounting plate 50 moves, it is mobile only for adjustment purposes; the positions of the mounting plate 50 are not caused by the changes in tensioning action on belt runs. For at least this reason, it is respectfully submitted that independent claim 1 and the claims that depend therefrom are patentable over Ali.

Claim 7 has been rejected under 35 U.S.C. § 102(e) over U.S. Patent Application Publication No. 2003/0216203 to Oliver et al. (“Oliver”). This rejection is respectfully traversed as follows.

It is respectfully submitted that Oliver does not teach or suggest all of the elements of independent claim 7. For instance, Ali does not teach or suggest a tensioner for a belt of a drive of a motor vehicle comprising a mobile element that changes positions in reaction to changes in tensioning action on a belt, said positions being determined by an equilibrium caused by said changes in tensioning action, as recited in independent claim 7. Rather, in Oliver to the extent the base 122 moves, it is mobile only for adjustment purposes; the positions of the base 122 are not caused by the changes in

tensioning action on belt runs. For at least this reason, it is respectfully submitted that independent claim 7 is patentable over Oliver.

Claims 7-8 have been rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 4,768,997 to Page et al. ("Page"). This rejection is respectfully traversed as follows.

It is respectfully submitted that Page does not teach or suggest all of the elements of independent claim 7. For instance, Page does not teach or suggest a tensioner for a belt of a drive of a motor vehicle comprising a mobile element that changes positions in reaction to changes in tensioning action on belt runs, said positions being determined by an equilibrium caused by said changes in tensioning action, as recited in independent claim 7. Rather, in Page the positions of the support arms 102, 104, 102', 104' are changed by using a manual, hand operated positioning assembly 140. *See* Page at col. 7, lns. 50-56. For at least this reason, it is respectfully submitted that independent claim 7 and the claims that depend therefrom are patentable over Page.

Conclusion

It is believed that all objections and rejections in the application have been addressed and that the present application is in condition for allowance. A favorable reconsideration and allowance of the pending claims is solicited. If necessary, the Commissioner is hereby authorized in this and concurrent replies to charge payment (or credit any overpayment) to Deposit Account No. 50-2298 for any additional required fees.

Dated: October 26, 2010

Respectfully submitted,


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2/3

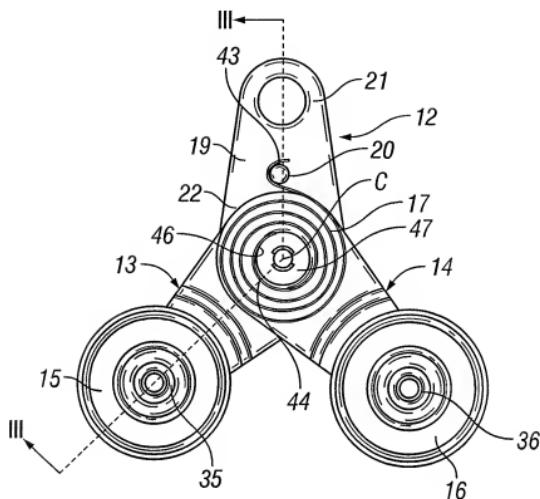


FIG. 2

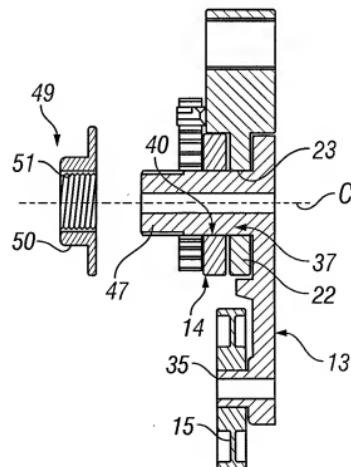


FIG. 3

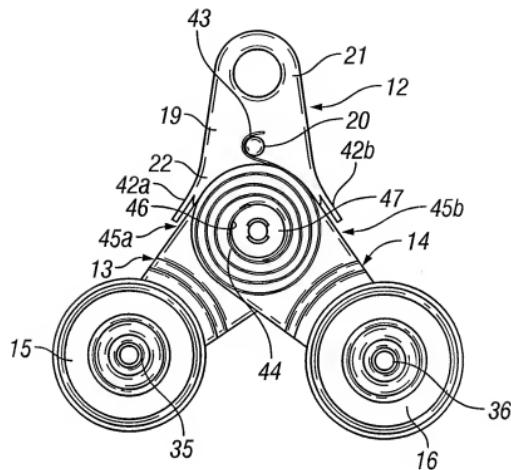


FIG. 4

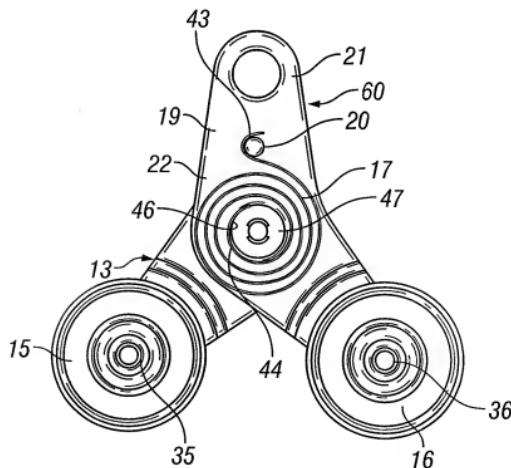


FIG. 5